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HIGH COURT OF CHHATTISGARH AT BILASPUR**MAC No. 319 of 2012**

Kumari Uma Yadav, D/o. Shri Bhagat Ram Yadav, Aged about 7 years, Caste Rawat, Occupation Dependant (Student), Minor through: legal guardian Bhagat Ram Yadav, S/o. Sukhram Yadav, Aged about 33 years, Occupation Agriculture and Labour, R/o. Village Godam, Tahsil Sarangarh, District Raigarh Chhattisgarh

---- Appellant**Versus**

1. Satnam Singh, S/o. Singhara Singh, Aged about 44 years, R/o. Gurunanak Nagar, Durg, District Durg Chhattisgarh
2. Bedaram Yadav, S/o. Hariram Yadav, Aged about 38 years, R/o. Village Potiyakala, Police Station Fulgaon, Tahsil and District Durg Chhattisgarh
3. The National Insurance Company Limited, Near Gil Complex, Gurudwara, Station Road, Durg Chhattisgarh

---- Respondents

For Appellant	:	Mr. Manoj Jaiswal, Advocate
For Respondent No.3	:	Mr. Pallav Mishra, Advocate under instructions of Mr. R.N. Pusty, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****28/02/2018**

1. The present is an appeal by the Claimant under Section 173 of the Motor Vehicles Act seeking enhancement. Challenge is to the award dated 29.11.2011, passed by the Additional Motor Accident Claims Tribunal, Sarangarh, District Raigarh, Chhattisgarh, in Claim Case No. 12/2009.
2. Vide the impugned award, the Tribunal in an injury case has awarded a compensation of Rs.46,500/- with interest @ 6% per annum.
3. Counsel for the appellant submits that the Doctor, who had been examined had certified the disability at 25%, but the Tribunal has

awarded a meagre amount and prays for enhancement of the compensation.

4. The counsel for the respondent-Insurance Company on the other hand opposing the appeal submits that the compensation awarded seems to be just and reasonable and as the award shows that the Tribunal has taken into consideration all relevant factors while quantifying the compensation.
5. Having heard the contention put forth on either side what appears is the fact that the injured in the instant case was a 7 years old girl. The nature of injury sustained was also that of a fracture on the left leg.
6. Given the said nature of injury and looking to the age of the Claimant, this Court is of the opinion that ends of justice would meet if the compensation amount awarded is enhanced from Rs.46,500/- to Rs.75,000/-. Thus, there shall be an enhancement of Rs.28,500/- and the enhanced amount shall also carry interest at the same rate as awarded by the Tribunal.
7. The appeal thus stands allowed and disposed off.

Sd/-
(P. Sam Koshy)
Judge